

REMARKS

In the Final Office Action,¹ the Examiner rejected claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,914,701 to Gersheneld et al. ("*Gersheneld*"). In an Advisory Action mailed September 1, 2010, the Examiner maintained the rejection.

By this Amendment, Applicant has amended claims 1, 8, 14, and 15 to more appropriately define the invention. The amendments to the claims are fully supported by the original disclosure. See, e.g., specification, p. 21, second paragraph. Applicant respectfully traverses the rejection and requests reconsideration and allowance of the pending claims for at least the following reasons.

Rejection of Claims 1-15 under 35 U.S.C. § 102(b)

Applicant respectfully traverses the rejection of claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by *Gersheneld*. In order to properly establish that *Gersheneld* anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). *Gersheneld* does not disclose each and every element of Applicant's claimed invention.

¹ The Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Final Office Action.

Independent claim 1, as amended, recites a combination including, for example, “a [] pair of electrodes for detecting electric field strength” (emphasis added).

Gersheneld fails to teach at least this element.

The Office asserted that the pair of electrodes 24 and 26 of *Gersheneld* correspond to the claimed “pair of electrodes [of said quasi-electrostatic field detecting means].” See Final Office action, p. 4. Without acquiescing to this assertion, Applicant respectfully submits that *Gersheneld* explicitly teaches that “a displacement current passes from the user 10 to the inner electrode 24 . . . then flows through the detector 28 to ground” and “[t]he detector 28 detects the current.” *Gersheneld*, col. 4, ll. 60-63, (emphases added). In view of this, *Gersheneld* does not teach “a [] pair of electrodes for detecting electric field strength,” as recited in claim 1 (emphasis added).

Therefore, *Gersheneld* fails to teach each and every element of claim 1 and thus cannot anticipate claim 1. Accordingly, claim 1 is allowable.

Independent claims 8, 14, and 15 although different in scope from independent claim 1, recite elements similar to claim 1. Therefore, for reasons similar to those discussed above with respect to claim 1, claims 8, 14, and 15 are allowable. Claims 2-7 and 9-13 are also allowable at least by virtue of their dependence from claim 1.

Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-15 under 35 U.S.C. § 102(b).

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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